

REMARKS

At the outset, Applicants thank the Examiner for the thorough review and consideration of the pending application. The Office Action dated December 10, 2004 has been received and its contents carefully reviewed.

Claims 9, 21, and 47 are hereby amended and claims 114-118 are hereby added. Accordingly, claims 1-118 are currently pending, of which claims 34, 40, 64, 70, 87, 93, 100, 106, and 111-113 are currently withdrawn. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, the Examiner variously rejected claims 9-15, 21, and 47 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants hereby amend claims 9, 21, and 47 to more clearly describe that which is claimed and respectfully request withdrawal of the present rejections under 35 U.S.C. § 112, second paragraph.

In the Office Action, the Examiner rejected claims 1, 18, 30, and 31 under 35 U.S.C. § 102(b) as being allegedly anticipated by Satoshi et al. (JP Patent Pub. No. 2001-356353). This rejection is respectfully traversed and reconsideration is requested.

In apparently rejecting claim 1, the Examiner asserts that Satoshi et al. discloses “a substrate bonding device for fabricating a liquid crystal display (LCD) panel, comprising ... a lower chamber unit (bottom chamber 10) ... , a lower stage (item 9) ... , and alignment means (shown in Figure 2) arranged at side portions of the lower chamber unit....” Applicants respectfully disagree.

It appears as though the Examiner interpreted structures designated at reference characters 81 and 82, illustrated in Figure 2 of Satoshi et al. as reading on the alignment means recited in claim 1. Applicants respectfully submit, however, that the “alignment means” illustrated in Figure 2 of Satoshi et al. is not “arranged at side portions” of the lower chamber unit 10 of Satoshi et al., as would be required for Satoshi et al. to anticipate claim 1. Rather, the “alignment means” of Satoshi et al. appears to be arranged at side portions of lower substrate 1a. As set forth at M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth

in the claim is found, either expressly or inherently, in a single prior art reference. That is, the identical invention must be shown in as complete detail as contained in the claim. As established above, Satoshi et al. fails to disclose, either expressly or inherently, each and every element recited in claim 1 (e.g., wherein the alignment means shown in Figure 2 is “arranged at side portions of the lower chamber unit,” as asserted by the Examiner). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claim 1 under 35 U.S.C. § 102(b).

Claims 18, 30, and 31 depend from claim 1 and, therefore, include all of the elements recited in claim 1. As discussed above, Satoshi et al. fails to teach, either expressly or inherently, each and every element recited in (i.e., anticipate) claim 1. Therefore, Applicants respectfully submit that Satoshi et al. fails to anticipate claims 18, 30, and 31. For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 18, 30, and 31 under 35 U.S.C. § 102(b).

In the Office Action, the Examiner rejected claims 98, 105, and 107-109 under 35 U.S.C. § 102(b) as being allegedly anticipated by Watanabe (U.S. Patent App. Pub. No. 2002/0043344). This rejection is respectfully traversed and reconsideration is requested.

As mentioned above, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit Watanabe fails to teach, either expressly or inherently, each and every element set as forth in claim 98. For example, Watanabe fails to teach, either expressly or inherently, “a protection sheet for substantially covering a surface of at least one stage, wherein the protection sheet is scrollable by the first and second reels,” as presently recited in claim 98. For at least this reason, Applicants respectfully request withdrawal of the present rejection of claim 98 under 35 U.S.C. § 102(b).

Claims 105 and 107-109 depend from claim 98 and, therefore, include all of the elements recited in claim 98. As discussed above, Satoshi et al. fails to teach, either expressly or inherently, each and every element recited in (i.e., anticipate) claim 98. Therefore, Applicants respectfully submit that Satoshi et al. fails to anticipate claims 105 and 107-109. For at least this

reason, Applicants respectfully request withdrawal of the present rejection of claims 105 and 107-109 under 35 U.S.C. § 102(b).

Moreover, Applicants respectfully submit Watanabe fails to anticipate the element recited in claim 108. Rejecting claim 108, the Examiner asserts that “the reels 54 and 55 [of Watanabe] allow the tension jigs [(i.e., “the combination of item 56 on one side and 57 on the other,” as interpreted in the rejection of claim 107)] to be rotatably mounted.” Applicants respectfully submit, however, that Watanabe simply fails to supply any disclosure supporting the assertion made by the Examiner. Further, Applicants submit Watanabe fails to supply any disclosure that the “tension jigs,” as interpreted with respect to claim 107, are rotatably mounted as recited in claim 108. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 108 under 35 U.S.C. § 102(b).

Additionally, Applicants respectfully submit Watanabe fails to anticipate the element recited in claim 109. Rejecting claim 109, the Examiner cites paragraph [0040] of Watanabe as allegedly disclosing wherein “the tension adjusting jigs 56 and 57 are movable in vertical directions.” Applicants respectfully disagree. Paragraph [0040] of Watanabe states, in pertinent part, that “the belt winders 52 and 53 and the guide rollers 54 and 55 are movable up and down along the lift guide members 56 and 57.” In view of the actual disclosure of Watanabe as cited above, Applicants submit that such a disclosure does not teach, either expressly or inherently wherein the structures designated at items 56 and 57 are “movable in vertical directions,” as asserted by the Examiner. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 109 under 35 U.S.C. § 102(b).

In the Office Action, the Examiner rejected claims 2-15 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Satoshi et al. in view of Miwa et al. (U.S. Patent No. 5,766,407). This rejection is respectfully traversed and reconsideration is requested.

Claims 2-15 depend from claim 1 and, therefore, include all of the elements recited in claim 1. As established above, Satoshi et al. does not anticipate claim 1. Moreover, Miwa et al. fails to cure the deficiency of Satoshi et al. with respect to claim 1. Because none of the cited references, including Satoshi et al. and Miwa et al., singly or in combination, teach or suggest each and every element recited in claim 1, Applicants respectfully submit the Examiner has

failed to establish that claims 2-15 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 2-15 under 35 U.S.C. § 103(a).

Moreover, rejecting claim 9, the Examiner asserts that Figures 2 and 3 of Satoshi et al. teach “the use of shafts, actuators and contacting structures similar to cams (see... items 82, 81, 60, 59, 58, 61 and 62)” and acknowledges that Satoshi et al. “differs in that it varies the upper components, not the lower components.” The Examiner attempts to cure the alleged deficiency of Satoshi et al. by taking Official Notice that “it is well known and conventional to merely switch from adjusting upper to lower elements, and vice versa, as a matter of engineering design choice,” that one of ordinary skill in the art would appreciate that “such adjusting element would improve the positioning of the chamber elements, improving the apparatus functionality,” and would have therefore been obvious.

As set forth at M.P.E.P. § 2144.03, it is never appropriate to rely solely on “common knowledge” in the art without evidentiary support in the record, as the principal evidence upon which to base a rejection. Rather, Official Notice may only be taken of facts that are of notorious character and serve only to “fill in the gaps” in an insubstantial manner which might exist in the evidentiary showing made to support a particular ground for rejection. Thus, the Examiner must support the basis for Official Notice relied upon with an adequate evidentiary showing if an Applicant traverses the Official Notice taken. By the present Response, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claim 9 under 35 U.S.C. § 103(a).

Moreover, Applicants respectfully submit that the nature of “gaps” in Satoshi et al., with respect to the elements recited in claim 9, are not insubstantial. To the contrary, and regardless of any documentary evidence that may be found, modifying Satoshi et al. as suggested by the Examiner would both render the apparatus of Satoshi et al. unsatisfactory for its intended

purpose and change its principle of operation. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 9 under 35 U.S.C. § 103(a).

Notwithstanding the deficiency of Satoshi et al. as alleged by the Examiner, Applicants respectfully submit that Satoshi et al., even as modified by the Official Notice, fails to teach or even suggest the elements as actually recited in claim 9. Specifically, Satoshi et al. fails to teach or even suggest wherein the alignment means (apparently the structures designated at reference numerals 81 and 82 shown in Figure 2, as interpreted by the Examiner in the rejection of claim 1) includes for example, “a plurality of cams rotatably provided to selectively contact and push peripheral portions of the lower chamber plate,” as recited in claim 9, in addition to the plurality of shafts and motors and their respective arrangements as also recited in claim 9. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 9 under 35 U.S.C. § 103(a).

Further, rejecting claims 10-15, the Examiner takes Official Notice that “the mechanical arrangements of the alignment means claimed are well known and conventional,” that “all of these arrangements allow efficient movement of the chamber units, relative to each other,” that use of “such components in the lower chamber ... [would] improve apparatus functionality,” and would have therefore been obvious.

For similar reasons as discussed above with respect to claim 9, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 10-15 under 35 U.S.C. § 103(a).

Moreover, Applicants respectfully submit that the nature of “gaps” in Satoshi et al., with respect to the elements recited in claims 10-15, are not insubstantial. To the contrary, and regardless of any documentary evidence that may be found, modifying Satoshi et al. as suggested by the Examiner would both render the apparatus of Satoshi et al. unsatisfactory for its intended purpose and change its principle of operation. For at least this additional reason, Applicants

respectfully request withdrawal of the present rejection of claims 10-15 under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claims 16 and 17 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Satoshi et al. This rejection is respectfully traversed and reconsideration is requested.

Claims 16 and 17 depend from claim 1 and, therefore, include all of the elements recited in claim 1. Because none of the cited references, including Satoshi et al., singly or in combination, teach or suggest each and every element recited in claim 1, Applicants respectfully submit the Examiner has failed to establish that claims 16 and 17 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 16 and 17 under 35 U.S.C. § 103(a).

Moreover, rejecting claims 16 and 17, the Examiner acknowledges that Satoshi et al. “does not disclose interlocking means” and attempts to cure this deficiency by taking Official Notice. Specifically, the Examiner asserts that “interlocking structures are well known and conventional ... especially such structures ... as holes, shafts and linear actuators,” that “[s]uch interlocking means would ensure that components of the mechanical chamber unit are properly positioned relative to each other,” and would therefore have been obvious “to achieve proper positioning between the elements” of Satoshi et al.

For similar reasons as discussed above with respect to claims 9-15, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 16 and 17 under 35 U.S.C. § 103(a).

Notwithstanding the deficiency of Satoshi et al., as alleged by the Examiner, Applicants respectfully submit Satoshi et al. fails to teach or even suggest the elements as actually recited in claim 17. Specifically, Satoshi et al., even as modified by the Official Notice, fails to teach or even suggest wherein the interlocking means includes for example, “a plurality

of holes in the upper surface, a plurality of moveable shafts each having a first end and a second end, and a plurality of linear actuators fixed to the upper chamber unit and to the first ends of the plurality of moveable shafts for projecting the second ends of the plurality of the movable shafts into a corresponding one of the plurality of holes,” as recited in claim 17. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 17 under 35 U.S.C. § 103(a).

Moreover, Applicants respectfully submit that the nature of “gaps” in Satoshi et al., with respect to the elements recited claims 16 and 17 are not insubstantial. To the contrary, and regardless of any documentary evidence that may be found, modifying Satoshi et al. as suggested by the Examiner would both render the apparatus of Satoshi et al. unsatisfactory for its intended purpose and change its principle of operation. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claims 16 and 17 under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claims 19-21 and 45-51 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Satoshi et al. in view of Hiroki (U.S. Patent No. 5,306,380). This rejection is respectfully traversed and reconsideration is requested.

Claims 19-21 depend from claim 1 and, therefore, include all of the elements recited in claim 1. As established above, Satoshi et al. does not anticipate claim 1. Moreover, Hiroki fails to cure the deficiency of Satoshi et al. with respect to claim 1. Because none of the cited references, including Satoshi et al. and Hiroki, singly or in combination, teach or suggest each and every element recited in claim 1, Applicants respectfully submit the Examiner has failed to establish that claims 19-21 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 19-21 under 35 U.S.C. § 103(a).

Moreover, in apparently rejecting claim 19, the Examiner acknowledges that Satoshi et al. fails to disclose “a case surrounding the chamber units.” Attempting to cure this deficiency, the Examiner cites Hiroki as allegedly disclosing “a case (Figure 1) surrounding the chamber units (items 3a, 3b, and 3c)” and concludes that it would have been obvious to use “such a case in order to provide a clean and secure environment for the chambers.” Contrary to

the Examiner's assertion, Applicants respectfully submit the entire disclosure of Hiroki is silent as to any case that surrounds chamber units 3a-c. Figure 1 of Hiroki illustrates a plan view of a vacuum processing apparatus (see Hiroki, column 3, lines 1-3) that includes three vacuum process chambers 3a-c and gate valves 4 that are "constructed to be capable of hermetically closing and opening" regions between adjacent process chambers. (see Hiroki, column 3, lines 33-46) While Figure 1 of Hiroki appears to show some structure having an area larger than the combined area of the various chambers 1, 2, 3a-c, etc., Applicants respectfully submit that such a structure is not a "case" as asserted by the Examiner. Rather, and as indicated by the shading of the structure, it appears that the structure lays under the various chambers but does not "surround" them as asserted by the Examiner nor does the structure "enclose" them as would be required for Hiroki to cure the deficiency of Satoshi et al. with respect to claim 19. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 19 under 35 U.S.C. § 103(a).

Claim 45 was rejected under the same rationale as set forth in the rejection of claim 19. Therefore, similar remarks as presented above with respect to the rejection of claim 19 are equally applicable with respect to the rejection of claim 45. For at least this reason, Applicants respectfully request withdrawal of the present rejection of claim 45 under 35 U.S.C. § 103(a).

Claims 46-51 depend from claim 45 and, therefore, include all of the elements recited in claim 45. As established above, Satoshi et al. in view of Hiroki fails to teach each and every element recited in claim 45. Because none of the cited references, including Satoshi et al. and Hiroki, singly or in combination, teach or suggest each and every element recited in claim 45, Applicants respectfully submit the Examiner has failed to establish that claims 46-51 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 46-51 under 35 U.S.C. § 103(a).

Moreover, rejecting claims 46-48, the Examiner takes Official Notice, asserting that "it is well known and conventional to make all or part of the case ... out of a transparent material," that "such transparency would permit for operator observance of the process operation, improving quality control," and would therefore have been obvious.

Assuming *arguendo* that Hiroki actually discloses a case as asserted by the Examiner, and for similar reasons as discussed above with respect to claims 9-17, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. in view of Hiroki. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 46-48 under 35 U.S.C. § 103(a).

Claim 49 was rejected under the same rationale as set forth in the rejection of claim 20. Therefore, similar remarks as presented above with respect to the rejection of claim 20 are equally applicable with respect to the rejection of claim 49. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claim 49 under 35 U.S.C. § 103(a).

Moreover, rejecting claims 50 and 51 (and possibly claim 21), the Examiner takes Official Notice, asserting that “it is well known and conventional to include multiple inlet/outlet openings and to position those openings as desired in order to connect the chamber with downstream and upstream LCD processing applications, thus improving efficiency,” and would therefore have been obvious.

Assuming *arguendo* that Hiroki actually discloses a case as asserted by the Examiner, and for similar reasons as discussed above with respect to claims 9-17 and 46-48, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. in view of Hiroki. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 21, 50, and 51 under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claims 22-29, 52-61, and 75-84 under 35 U.S.C. § 103(a) as being variously and allegedly unpatentable over Satoshi et al. as applied to claim 1 and Satoshi et al. in view of Hiroki as applied to claim 45, and further in view of Nakagomi et al. (U.S. Patent No. 5,742,173). This rejection is respectfully traversed and reconsideration is requested.

Claims 22-29 and 52-61 variously depend from claims 1 and 45 and, therefore, include all of the elements recited in claims 1 and 45. As established above, Satoshi et al. fails to anticipate claim 1 and Satoshi et al. in view of Hiroki fails to teach or suggest each and every element recited in claim 45. Nakagomi et al. fails to cure the deficiencies of Satoshi et al. and Satoshi et al. in view of Hiroki with respect to claims 1 and 45, respectively. Because none of the cited references, including Satoshi et al., Hiroki, and Nakagomi et al., singly or in combination, teach or suggest each and every element recited in claims 1 and 45, Applicants respectfully submit the Examiner has failed to establish that claims 22-29 and 52-61 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 22-29 and 52-61 under 35 U.S.C. § 103(a).

Moreover, and in apparently rejecting claims 22 and 52, the Examiner acknowledges that the various applications of Satoshi et al. and Satoshi et al. in view of Hiroki fail to “suggest spraying means, blowing means, and flow tubes.” Attempting to cure this deficiency, the Examiner cites Nakagomi et al. as disclosing “spraying means ... , blowing means ... and connecting to gas supply sources (implying connecting tubes), in conjunction with ionizer equipment” and concludes it would have been obvious “to have included spraying means, blowing means, and flow tubes ... to ensure that the chamber is maintained at a sufficient cleanliness.” Assuming *arguendo* that Nakagomi et al. discloses all that it is alleged to disclose, Applicants respectfully submit Nakagomi et al. fails to teach or even suggest that which is actually recited in claims 22 and 52. For example, Nakagomi et al. fails to teach or suggest “spraying means arranged at side portions of one of the upper and lower chamber units for spraying gas toward the sides of the other one of the upper and lower chamber units.” Moreover, the Examiner has failed to identify any motivation or suggestion indicating that one of ordinary skill in the art would modify either Satoshi et al. or Satoshi et al. in view of Hiroki using Nakagomi et al. in a manner that would arrive the actual recitations of claims 22 and 52, rendering these claims obvious. Similar arguments as presented above with respect to the rejection of claims 22 and 52 are equally applicable to the rejection of claims 26 and 58. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claims 22, 26, 52, and 58 under 35 U.S.C. § 103(a).

Moreover, and in rejecting claims 23 and 53, the Examiner asserts that Nakagomi et al., when incorporated within Satoshi et al. or Satoshi et al. in view of Hiroki, discloses “a plurality of opens as claimed (see Figure 23, 222a).” Applicants respectfully submit, however, simply asserting a combination of references as disclosing that which is claimed, when none of the references taken individually teaches or even suggests that which is claimed, cannot establish a *prima facie* case of obviousness absent some objective reason to combine the references in a manner that arrives at the claimed invention. Similar arguments as presented above with respect to the rejection of claims 23 and 53 are equally applicable to the rejection of claims 27 and 59. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claims 23, 27, 53, and 59 under 35 U.S.C. § 103(a).

Moreover, and in rejecting claims 56 and 57, the Examiner takes Official Notice, asserting that “it is well known and conventional to include outwardly sloped, curved regions in the chamber units,” that “[s]uch profiles would enable the chamber unit to be kept free of particles,” and would therefore have been obvious.

For similar reasons as discussed above with respect to claims 9-17, 21, 46-48, 50, and 51, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus variously disclosed in Satoshi et al. in view of Nakagomi et al. or Satoshi et al. in view of Hiroki and Nakagomi et al. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 56 and 57 under 35 U.S.C. § 103(a).

Notwithstanding the deficiencies of Satoshi et al. in view of Nakagomi et al. and Satoshi et al. in view of Hiroki and Nakagomi et al., as alleged by the Examiner, Applicants respectfully submit the aforementioned combinations of references, even as modified by the Official Notice, still fail to teach or even suggest “wherein a peripheral region of the other one of the upper and lower chamber units (i.e., the chamber unit to which gas is sprayed toward) includes an outwardly sloped surface,” as recited in claim 56, and wherein “the sloped surface is

curved,” as recited in claim 57. For at least this additional reason, Applicants respectfully request withdrawal of the present rejection of claims 56 and 57 under 35 U.S.C. § 103(a).

Claims 75-84 were rejected under the same rationale as set forth in the rejection of claims 23-29. Therefore, similar remarks as presented above with respect to the rejection of claims 23-29 are equally applicable with respect to the rejections of claims 75-84. For at least these reasons, Applicants respectfully request withdrawal of the present rejections of claim 75-84 under 35 U.S.C. § 103(a).

In the Office Action, the Examiner rejected claims 32, 33, 35-39, 41-44, 62, 63, 65-69, 71-74, 85, 86, 88-92, and 94-110 under 35 U.S.C. § 103(a) as being variously and allegedly unpatentable over Satoshi et al. as applied to claim 1, Satoshi et al. in view of Hiroki as applied to claims 45, and Satoshi et al. in view of Nakagomi et al. as applied to claim 75, and further in view of Watanabe. This rejection is respectfully traversed and reconsideration is requested.

Claims 32, 33, 35-39, 41-44, 62, 63, 65-69, 71-74, 85, 86, 88-92, and 94-97 variously depend from claims 1, 45, and 75 and, therefore, include all of the elements recited in claims 1, 45, and 75. As established above, Satoshi et al. fails to anticipate claim 1, Satoshi et al. in view of Hiroki fails to teach or suggest each and every element recited in claim 45, and Satoshi et al. in view of Nakagomi et al. fails to teach or suggest each and every element recited in claim 75. Watanabe fails to cure the deficiencies of Satoshi et al., Satoshi et al. in view of Hiroki, and Satoshi et al. in view of Nakagomi et al. with respect to claims 1, 45, and 75, respectively. Because none of the cited references, including Satoshi et al., Hiroki, Nakagomi et al. and Watanabe, singly or in combination, teach or suggest each and every element recited in claims 1, 45, and 75, Applicants respectfully submit the Examiner has failed to establish that claims 32, 33, 35-39, 41-44, 62, 63, 65-69, 71-74, 85, 86, 88-92, and 94-97 are *prima facie* obvious under 35 U.S.C. § 103(a). For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 32, 33, 35-39, 41-44, 62, 63, 65-69, 71-74, 85, 86, 88-92, and 94-97 under 35 U.S.C. § 103(a).

Further, and as set forth at M.P.E.P. § 2143.03, a claim is *prima facie* obvious if, among other things, each and every element as set forth in the claim is taught or suggested in a reference when modified or in a combination of references. Applicants respectfully submit that

Satoshi et al. in view of Watanabe fails to teach or suggest each and every element set as forth in claim 98. For example, neither Satoshi et al. nor Watanabe, taken singly or in combination, teaches or suggests “a protection sheet for substantially covering a surface of at least one stage, wherein the protection sheet is scrollable by the first and second reels,” as presently recited in claim 98. For at least this reason, Applicants respectfully request withdrawal of the present rejection of claim 98 under 35 U.S.C. § 103(a).

Claims 99-110 depend from claim 98 and, therefore, include all of the elements recited in claim 98. As discussed above, neither Satoshi et al. nor Watanabe, taken singly or in combination, teach or suggest each and every element set as forth in claim 98. Therefore, Applicants respectfully submit that Satoshi et al. in view of Watanabe fails to render claims 99-110 obvious. For at least this reason, Applicants respectfully request withdrawal of the present rejection of claims 99-110 under 35 U.S.C. § 103(a).

Moreover, in rejecting claims 36, 66, 89, and 102, the Examiner asserts that “the electrostatic chuck of Satoshi, when combined with the sheet of Watanabe, is capable of being transmitted by the protection sheet.”

While not explicitly using the words “Official Notice,” Applicants respectfully submit that the Examiner’s statement above essentially constitutes a taking of Official Notice because it proposes a fact that is unsupported by any documentary evidence. However, and as discussed at M.P.E.P. § 2144.03, Official Notice may only be taken of facts that are of notorious character and serve only to “fill in the gaps” in an insubstantial manner which might exist in the evidentiary showing made to support a particular ground for rejection. Thus, the Examiner must support the basis for Official Notice relied upon with an adequate evidentiary showing if an Applicant traverses the Official Notice taken. By the present Response, and for reasons as similarly discussed with respect to claims 9-17, 21, 46-48, 50, 51, 56, and 57, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. in view Watanabe. Absent the requisite documentary evidence, Applicants respectfully

request withdrawal of the present rejection of claims 36, 66, 89, and 102 under 35 U.S.C. § 103(a).

Moreover, in rejecting claims 37, 38, 67, 68, 90, 91, 103, and 104, the Examiner takes Official Notice that “it is well known and conventional to include holes in the protection sheet, and to correspond those holes with the holes of the electrostatic chuck” to “assure attraction of the substrate through the sheet,” and would therefore have been obvious.

For similar reasons as discussed above with respect to claims 9-17, 21, 36, 46-48, 50, 51, 56, 57, 66, 89, and 102, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. in view of Watanabe. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 37, 38, 67, 68, 90, 91, 103, and 104 under 35 U.S.C. § 103(a).

Claims 42, 72, 95, and 108 were presently rejected under the same rationale as set forth in the rejections of claim 108 under 35 U.S.C. § 102(b) as being anticipated by Watanabe. Therefore, similar remarks as presented above with respect to the rejection of claim 108 under 35 U.S.C. § 102(b) are equally applicable with respect to the present rejection of claims 42, 72, 95, and 108 under 35 U.S.C. § 103(a). For at least this additional reason, Applicants respectfully request withdrawal of the present rejections of claim 42, 72, 95, and 108 under 35 U.S.C. § 103(a).

Claims 43, 73, 96, and 109 were presently rejected under the same rationale as set forth in the rejections of claim 109 under 35 U.S.C. § 102(b) as being anticipated by Watanabe. Therefore, similar remarks as presented above with respect to the rejection of claim 109 under 35 U.S.C. § 102(b) are equally applicable with respect to the present rejection of claims 43, 73, 96, and 109 under 35 U.S.C. § 103(a). For at least this additional reason, Applicants respectfully request withdrawal of the present rejections of claim 43, 73, 96, and 109 under 35 U.S.C. § 103(a).

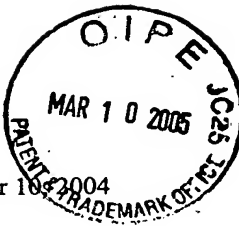
Moreover, in rejecting claims 44, 74, 97, and 110, the Examiner takes Official Notice that “movement [in lateral directions] would be well known and conventional” and would “enable the sheet to be manipulated in ... to cover the chamber unit more properly,” and would therefore have been obvious.

For similar reasons as discussed above with respect to claims 9-17, 21, 36, 37, 38, 46-48, 50, 51, 56, 57, 66, 67, 68, 89, 90, 91, and 102-104, Applicants hereby traverse the Official Notice taken by the Examiner and respectfully request the Examiner to provide documentary evidence establishing *prima facie* obviousness, as required by 35 U.S.C. § 103(a), for the modifications asserted above with respect to the apparatus disclosed in Satoshi et al. in view of Watanabe. Absent the requisite documentary evidence, Applicants respectfully request withdrawal of the present rejection of claims 44, 74, 97, and 110 under 35 U.S.C. § 103(a).

Applicants believe the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/661,472
Amdt. dated March 10, 2005
Reply to Office Action dated December 10, 2004



Docket No.: 8733.870.00

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: March 10, 2005

Respectfully submitted,


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